

REMARKS

Claims 1-7, 9-29, 133-138, 140-144, 146-207 are pending in this application.

Applicant thanks the Examiner for withdrawing the Section 112, second paragraph rejections of claims 1-7, 9-29, 170 and 192.

Double Patenting Rejections

1. The Examiner rejected claims 1-7, 9-29, 133-138, 140-159, 161, 166-169, and 171-173 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 and 9-29 and 72-87 of U.S. Patent No. 6,309,623.
2. The Examiner further rejected claims 1, 133-134, 136, 138, 143, 144 and 147-159, 161, 166-169, and 171-173 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 3, 5-6, 8-11, 13, 14, and 16 of U.S. Patent No. 6,630,169.
3. The Examiner further rejected claims 1-7, 9-29, 133-138, 140-164, 166-196, 199-202, and 205-207 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3-20 of U.S. Patent No. 6,638,495.

Applicant previously submitted a Terminal Disclaimer for US patent numbers 6,630,169; 6,309,623; and 6,638,495, signed by Ashok Janah. However, the Examiner did not find any documents granting power of attorney to Mr. Ashok Janah. Accordingly, a power of attorney is now being provided as signed by Mr. Guy Tucker, who is a patent agent of record. A copy of the previously submitted Terminal Disclaimer is now being resubmitted.

4. The Examiner provisionally rejected claims 1, 6, 10, 12-15, 133, 134, 138 and 148 on grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5 and 12 of copending U.S. Patent Application No. 11/317,523.
5. The Examiner also provisionally rejected claims 1, 6, 10, 12-15, 21-23, 27-29, 133, 134, 138, 141, 143-144, 147-151, 156, 157, 159, 161, 165-168, 171-174, 180, 184, 188-190, and 193-207 on grounds of nonstatutory obviousness-type double patenting as unpatentable over claims 1, 5-7, 9, 12-15 and 18 of copending U.S. Patent Application No. 11/317,839.

Applicant will provide a Terminal Disclaimer over copending U.S. patent Application Nos. 11/317,523 and 11/317,839, should these applications issue prior to issuance of the present application, if the same is requested by the Examiner at that time.

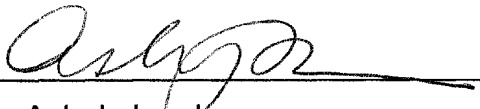
6. The Examiner further rejected claims 2-7, 9, 11-13, 15, 17-19, 26-28, 151-155, 162-163, 171, 174-178, 183, 185-186, 193, and 196-197 on grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4, 6, 10-14, 16-17, 21, 25, 27-29, 30, 32, and 34-35 of U.S. Patent Application No. 09/999,071, which corresponds to the issued U.S. Patent No. 7,205,343.

Applicant is providing a Terminal Disclaimer over U.S. Patent No. 7,205,343, to overcome this rejection.

The above-discussed amendments and remarks are believed to place the present application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,
JANAH & ASSOCIATES, P.C.

Date: 6/1/2007

By: 
Ashok Janah
Reg. No. 37,487

Please direct all telephone calls to: Ashok K. Janah at (415) 538-1555.

Please send correspondence to:

Guy Tucker
Nektar Therapeutics
150 Industrial Road
San Carlos, CA 94070.